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JUL 1 2 2004

PUBLIC SERVICE
COMMISSION

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P.O. Box 369
Shepherdsville, KY 40165-0369
Phone (502) 955-4400 or (800) 516-4293
Fax (502) 543-4410 or (800) 541-4410

July 8, 2004

VIA OVERNIGHT MAIL

Susan G. Hutcherson
Filings Division Manager, Docket Branch
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

Re: BellSouth Mobility, LLC, d/b/a Cingular Wireless – Kentucky
PSC Case No.: 2004-00158
Cingular Site Name: Short Creek
Federal Aviation Administration Approval
Kentucky Airport Zoning Commission Approval

Dear Susan:

Please accept this letter and the attached documents as an official filing in the above-referenced Public Service Commission action. The Certificate of Public Convenience and Necessity issued in this action called for the Applicant to file a copy of the Federal Aviation Administration and Kentucky Airport Zoning Commission approvals once they were obtained. Copies of this relevant documentation are attached to this letter for inclusion in the official case file.

If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pike".

David A. Pike
Attorney for BellSouth Mobility, LLC,
d/b/a Cingular Wireless – Kentucky

Enclosures



Federal Aviation Administration
Southern Regional Office
1701 Columbia Avenue-ASO-520
College Park, GA 30337

Aeronautical Study No.
2004-ASO-2080-OE

Issued Date: 4/28/2004

Kimberlyn Russell
Cingular Wireless
17330 Preston Road, Suite 100A
Dallas, TX 75252

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Antenna Tower
Location: Short Creek, KY
Latitude: 37-31-51.21 NAD 83
Longitude: 86-28-23.96
Heights: 420 feet above ground level (AGL)
1050 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 AC 70/7460-1K Change 1, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

___ At least 10 days prior to start of construction
(7460-2, Part I)

X Within 5 days after the construction reaches its greatest height
(7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination expires on 10/28/2005 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404)305-5579. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2004-ASO-2080-OE.

Signature Control No: 379258-271993

(DNE)

Earl P. Newalu Jr.
Specialist

Attachment(s)
Case Description
Frequency Data

7460-2 Attached

Case Description for ASN 2004-ASO-2080-OE

New 400` tower with 20 ft. lightning rod. Overall height will be 420 ft. AGL.

Frequency Data for ASN 2004-ASO-2080-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
806	824	MHz	500	W



Kentucky Airport Zoning Commission
200 Mero Street
Frankfort, KY 40622

(502) 564-4480
fax: (502) 564-7953
No.: AS-043-2I3-04-089

Short
Creek
C.T.

June 2, 2004

APPROVAL OF APPLICATION

APPLICANT:

Cingular Wireless LLC
Margaret Colpa
17330 Preston Road
Suite 100A
Dallas, TX 75252

SUBJECT: AS-043-2I3-04-089

STRUCTURE: Antenna Tower
LOCATION: Short Creek, KY
COORDINATES: 37-31-51.21 N / 86-28-23.96 W
HEIGHT: 420'AGL/1050'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 420'AGL/1050'AMSL Antenna Tower near Short Creek, KY 37-31-51.21 N / 86-28-23.96 W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:100.

for Alisha L
John Houlihan, Administrator



Kentucky Airport Zoning Commission
200 Mero Street
Frankfort, KY 40622

(502) 564-4480
fax: (502) 564-7953
No.: AS-043-213-04-089

CONSTRUCTION/ALTERATION STATUS REPORT

June 2, 2004

AERONAUTICAL STUDY NUMBER: AS-043-213-04-089

Cingular Wireless LLC
Margaret Colpa
17330 Preston Road
Suite 100A
Dallas, TX 75252

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on June 2, 2004. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622. (502) 564-4480.

STRUCTURE: Antenna Tower
LOCATION: Short Creek, KY
COORDINATES: 37-31-51.21 N / 86-28-23.96 W
HEIGHT: 420'AGL/1050'AMSL

CONSTRUCTION/ALTERATION STATUS

1. The project () is abandoned. () is not abandoned.

2. Construction status is as follows:

Structure reached its greatest height of _____ ft. AGL
_____ ft. AMSL on _____ (date).

Date construction was completed. _____

Type of obstruction marking/painting. _____

Type of obstruction lighting. _____

As built coordinates. _____

Miscellaneous Information: _____

DATE _____

SIGNATURE/TITLE _____

INSTRUCTIONS INCLUDED

TC 56-50E (Rev. 06

Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Holmes Street, Frankfort, KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-043-213-04-089

1. APPLICANT - Name, Address, Telephone, Fax, etc.

Margaret Colpa
Cingular Wireless LLC
17330 Preston Road, Suite 100A
Dallas, TX 75252

9. Latitude: 37° 31' 51" 21"

10. Longitude: 86° 28' 23" 96"

11. Datum: NAD83 NAD27 Other

12. Nearest Kentucky City: Short Creek County: Grayson

2. Representative of Applicant - Name, Address, Telephone, Fax

Lisa Glass
Cingular Wireless
5310 Maryland Way
Brentwood, TN 37027

13. Nearest Kentucky public use or Military airport:
Rough River State Park Airport

14. Distance from #13 to Structure: 4.53 NM *SW*

15. Direction from #13 to Structure: 161 degrees

16. Site Elevation (AMSL): 630.00 Feet

17. Total Structure Height (AGL): 420.00 Feet

18. Overall Height (#16 + #17) (AMSL): 1,050.00 Feet

3. Application for: New Construction Alteration Existing

4. Duration: Permanent Temporary (Months _____ Days _____)

5. Work Schedule: Start March 31, 2004 End March 31, 2005

6. Type: Antenna Tower Crane Building Power Line
 Landfill Water Tank Other

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):

7. Marking/Painting and/or Lighting Preferred:

Red Lights and Paint Dual - Red & Medium Intensity White
 White - Medium Intensity Dual - Red & High Intensity White
 White - High Intensity Other

20. Description of Location: (Attach USGS 7.5 minute Quadrangle Map or an Airport layout Drawing with the precise site marked and any certified survey)

Please see attached Topo Map

8. FAA Aeronautical Study Number

21. Description of Proposal:

Frequency list attached.
New Structure will be a 400 ft. tower with a 20 ft lightning rod. Overall tower tip will be 420 ft. AGL.
Market: Evansville
Site Name: Short Creek

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?

No Yes, When March 31, 2004

CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Donald Day (on behalf of Cingular Wireless)
Printed Name and Title

Signature

March 31, 2004
Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action:

Approved
 Disapproved

Chairman, KAZC

Administrator, KAZC

Date

6/2/04